

REMARKS

Applicants respectfully request reconsideration of the present U.S. Patent application.

Claims 1-5 and 7-28 are pending.

Claim Rejections - 35 U.S.C. § 103

Claims 1-3, 12-13, 16-19 and 21 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 4,937,863 issued to Robert et al. in view of U.S. Patent No. 5,911,045 issued to Leyba et al.

Claim 1 recites the following:

an electronic asset lending library database containing a plurality of user accounts and at least one license for an electronic asset assigned by a user having one of the plurality of user accounts;

an account manager to maintain the user accounts;

an asset manager to maintain the licenses for the electronic assets; and

a loan manager to control the assignment of the license for the electronic asset to another user having another one of the plurality of user accounts.

Claims 12 and 16 similarly recite an electronic asset assigned by a user having one of a plurality of user accounts and controlling the assignment of the license of the electronic asset to another user having another one of the plurality of user accounts.

Roberts discloses Robert a software licensing management system. The license management facility maintains a license unit value for each licensed program and a pointer to a table identifying a license usage allocation unit value associated usage of the license program. In response to a request to use a licensed program, the license management facility determines whether the remaining license unit value exceeds the license usage allocation unit value associated with the use. If the license unit value does not exceed the license usage allocation value, the license management facility permits usage of the license program and adjusts the

license unit value by a function of the license usage allocation unit value to reflect the usage. (See col. 2, lines 11-24).

Roberts does not disclose, teach, or suggest an electronic asset assigned by a user having one of a plurality of user accounts and controlling the assignment of the license of the electronic asset to another user having another one of the plurality of user accounts. These limitations are recited in claims 1, 12, and 16. Therefore, Applicants submit that claims 1, 12, and 16 are patentable over Roberts.

The Office Action states that Roberts does not teach at least one license for an unused electronic asset assigned by a user having one of the plurality of user accounts, but Leyba teaches providing a plurality of users being registered over a network to share information. Applicants submit that Leyba's teaching of a plurality of users being registered over a network to share information does not teach a system or method including at least one license for an unused electronic asset assigned by a user having one of the plurality of user accounts and controlling the assignment of the license of the electronic asset to another user having another one of the plurality of user accounts. Therefore, Leyba does not cure the deficiencies of Roberts. Thus, the combination of Leyba and Roberts does not disclose, teach, or suggest an electronic asset assigned by a user having one of a plurality of user accounts and controlling the assignment of the license of the electronic asset to another user having another one of the plurality of user accounts. These limitations are recited in claims 1, 12, and 16. Therefore, Applicants submit that claims 1, 12, and 16 are patentable over Roberts and Leyba.

Claims 2-5, 7-11, 13-15, and 17-21 are dependent claims and distinguish for at least the same reasons as their independent base claim in addition to adding further limitations of their own. Therefore, Applicants submit that claims 2-5, 7-11, 13-15, and 17-21 are patentable over Roberts and Leyba for at least the reasons set forth above.

Claims 22-26 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,745,879 issued to Wyman in view of U.S. Patent No. 5,911,045 issued to Leyba et al.

Claim 22 recites the following:

managing a plurality of user accounts;
generating a license and associated license restrictions for an electronic asset on a lending library server, the electronic asset assigned by a user having one of the plurality of user accounts;
displaying to an assignee having another one of the plurality of user accounts the license and associated license restrictions on a lending library client;
receiving an assignee's selection for the license and transferring the license to the assignee if eligible in accordance with the associated license restrictions; and
transmitting to the assignee instructions for the installation of the electronic asset in compliance with the transferred license on the lending library client.

Wyman discloses a method for managing the execution of licensed programs. The system employs a license management method that establishes a management policy having a variety of simultaneously-available styles and contexts. A license server administers the license, and each licensed product upon start-up makes a call to the license server to check whether usage is permitted. Upon receiving this call from a user, the license server checks the product user authorization to determine if the particular use requested is permitted, and if so, returns a grant to the requesting user node. (See col. 6, lines 15-27). In Wyman's system, the user node can only make a request, identifying itself by user, platform, process, etc., and the license management facility calculates whether or not the license can be granted (that is, units are available for allocation), without the user node having access to any of the license data or calculation. (See col. 6, line 64 to col. 7, line 3).

Wyman does not disclose, teach, or suggest allowing a user having one of a plurality of user accounts to assign an electronic asset to another user having another one of the plurality of user accounts. Furthermore, Wyman does not disclose, teach, or suggest allowing the user to set

license restrictions for the borrowing of the unused electronic asset, and transferring the license to an assignee having another of the plurality of user accounts in accordance with the restrictions set by the user. These limitations are recited in claim 22. Therefore, Applicants submit that claim 22 is patentable by Wyman.

The Office Action states that Leyba teaches providing a plurality of users being registered over a network to share information. Applicants submit that Leyba's teaching of a plurality of users being registered over a network to share information does not teach a system or method that allows a user having one of a plurality of user accounts to assign an electronic asset to another user having another one of the plurality of user accounts, allows the user to set license restrictions for the borrowing of the unused electronic asset, and transfers the license to an assignee having another of the plurality of user accounts in accordance with the restrictions set by the user. Therefore, Leyba does not cure the deficiencies of Wyman. Thus, the combination of Leyba and Wyman does not disclose, teach, or suggest an electronic asset assigned by a user having one of a plurality of user accounts and controlling the assignment of the license of the electronic asset to another user having another one of the plurality of user accounts. These limitations are recited in claim 22. Therefore, Applicants submit that claim 22 is patentable over Wyman and Leyba.

Claims 23-28 are dependent claims and distinguish for at least the same reasons as their independent base claim in addition to adding further limitations of their own. Therefore, Applicants submit that claims 23-28 are patentable over Wyman and Leyba for at least the reasons set forth above.

Claims 4-5, 7-10, 11, 14-15, 20, 27, and 28 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 4,937,863 issued to Robert et al. in view of U.S. Patent No.

5,892,900 issued to Ginter et al. in view of U.S. Patent No. 5,911,045 issued to Leyba et al and further in view of U.S. Patent No. 5,745,879 issued to Wyman.

As discussed above, neither Roberts nor Wyman nor Leyba disclose an electronic asset assigned by a user having one of a plurality of user accounts and controlling the assignment of the license of the electronic asset to another user having another one of the plurality of user accounts. These limitations are recited in claims 1, 12, 16, and 22. Therefore, claims 1, 12, 16, and 22 are patentable over Roberts, Wyman, and Leyba.

Ginter discloses a system for secure transaction management and electronic rights protection. Ginter does not disclose, teach, or suggest an electronic asset assigned by a user having one of a plurality of user accounts and controlling the assignment of the license of the electronic asset to another user having another one of the plurality of user accounts. Therefore, Ginter does not cure the deficiencies of Roberts, Wyman, and Leyba. Thus, claims 1, 12, 16, and 22 are patentable over Roberts, Wyman, Leyba, and Ginter.

Claims 2-5, 7-11, 13-15, 17-21, and 23-28 are dependent claims and distinguish for at least the same reasons as their independent base claim in addition to adding further limitations of their own. Therefore, Applicants submit that claims 2-5, 7-11, 13-15, 17-21, and 23-28 are patentable over Roberts, Wyman, Leyba, and Ginter for at least the reasons set forth above.

Conclusion

In view of the amendments and remarks set forth above, Applicants submit that claims 1-5 and 7-28 are in condition for allowance and such action is respectfully solicited. The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

Please charge any shortages and credit any overcharges to our Deposit Account number
02-2666.

Respectfully submitted,
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Date: 9/15/03

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